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Attorney's Docket No. 5470.107BDV3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Thorp, et al. Examiner: Arun K. Chakrabarti
 Serial No.: 10/008,233 Group Art Unit: 1634
 Filed: November 6, 2001
 For: Electrochemical Detection of Nucleic Acid Hybridization

August 25, 2003

Commissioner for Patents
 Post Office Box 1450
 Alexandria, Virginia 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME
 (37 C.F.R. § 1.136(a))

1. This is a petition for an extension of time for a total period of three (3) months to respond to the Official Action dated February 24, 2003.

2. A response in connection with the matter for which this extension is requested:

☒ is filed herewith.

☐ has been filed.

3. Applicant:

☐ Claims small entity status. See 37 CFR 1.27.

☒ Does not claim small entity status.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)-(d)):

	<u>Total Months Requested</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$410.00	\$205.00
<input checked="" type="checkbox"/>	three months	\$930.00	\$465.00
<input type="checkbox"/>	four months	\$1,450.00	\$725.00
<input type="checkbox"/>	five months	\$1,970.00	\$985.00

Fee Enclosed \$930.00


Adjustment date: 11/05/2003 EEKUBAY1
 09/29/2003 TJOHNS04 00000001 500220 10008233
 01 FC:1255 1040.00 CR

09/29/2003 TJOHNS04 00000001 500220 10008233
 Sale-Ref: 00000001 500220 10008233
 01 FC:1255
 08/27/2003 SSESHEI 00000105 00 03
 01 FC:1253

In re: Thorp, et al.
Serial No.: 10/008,233
Filed: November 6, 2001
Page 2

- ☒ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card (Form PTO-2038) is enclosed.
- ☐ Charge Deposit Account No. 50-0220 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

USPTO Customer Number 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

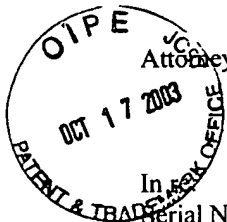
CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV318420766US

Date of Deposit: August 25, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450.


Vickie Diane Prior



Attorney Docket No. 5470.107BDV3

DEP-REF
PATENT Room-307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Reply, Please Refer to:
Serial No.: 10/008,233
Filed: November 6, 2001
For: ELECTROCHEMICAL DETECTION OF NUCLEIC ACID HYBRIDIZATION

Examiner: Arun K. Chakrabarti
Art Unit: 1634

October 10, 2003

Mail Stop 16
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

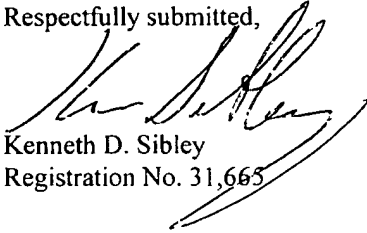
REQUEST FOR REFUND OF FEES

Applicants respectfully submit this Request for Refund of Fees pursuant to 37 C.F.R. §1.26 in the amount of \$1040.00. On August 25, 2003, Applicants submitted an Amendment and Response ("Response") and Petition and Fee for Extension of Time ("Extension"), as well as Check Number 504974 in the amount of \$930.00 to cover the three-month Extension fees in the above-identified application. Copies of the Extension and transmittal papers (including Certificates of Mailing Under 37 C.F.R. 1.8), the return-receipt post card stamped by the USPTO, and a copy of the cancelled check are enclosed.

As noted on the Deposit Account Statement of September 30, 2003 (copy enclosed), the USPTO incorrectly charged Deposit Account Number 50-0220 in the amounts of \$1040.00 for fees associated with the Extension in the above application.

In view of the enclosed copies of the Extension and transmittal papers, return-receipt post card, and cancelled check, Applicants submit that the Response and Extension were timely filed for a three-month extension of time, and no additional extension fees should have been charged. Accordingly, Applicants respectfully submit that the extension of time fee of \$1040.00 was erroneously charged and request a refund in the amount of \$1040.00 to Deposit Account No. 50-0220.

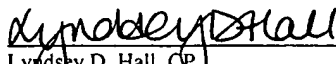
Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mailstop 16, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, on October 10, 2003.


Lyndsey D. Hall, CP
Certified Paralegal

5470.107BDV3/KDS:vp
August 25, 2003

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir: Kindly acknowledge receipt of the accompanying by placing your
receiving date stamp hereon and mailing:
Re: Thorp, et al; S/N 10/008,233; Filed: 11/6/01

AMENDMENT AND RESPONSE; EXTENSION OF TIME; \$930
CK.
EXPRESS MAIL EV318420766US

Respectfully,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

EV318420766US

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450



5470.107BDV3/KDS:vp
August 25, 2003

Sir: Kindly acknowledge receipt of the accompanying by placing your
receiving date stamp hereon and mailing:
Re: Thorp, et al; S/N 10/008,233; Filed: 11/6/01

AMENDMENT AND RESPONSE; EXTENSION OF TIME; \$930
CK.
EXPRESS MAIL EV318420766US

Respectfully,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

Attorney's Docket No. 5470.107BDV3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Thorp, et al.

Serial No.: 10/008,233

Filed: November 6, 2001

For: **Electrochemical Detection of Nucleic Acid Hybridization**

Examiner: Arun K. Chakrabarti
Group Art Unit: 1634

August 25, 2003

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

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<input checked="" type="checkbox"/>	three months	\$930.00	\$465.00
<input type="checkbox"/>	four months	\$1,450.00	\$725.00
<input type="checkbox"/>	five months	\$1,970.00	\$985.00

Fee Enclosed \$930.00



MYERS BIGEL SIBLEY & SAJOVEC, P.A.

PATENT LAWYERS

Operating Account

SUITE 600, 4140 PARKLAKE AVENUE, RALEIGH, NC 27612
PO Box 37428, RALEIGH, NC 27627

BB&T

Branch Banking and Trust Company
200 EAST CHATHAM STREET
CARY, NC 27511

66-112/531
DATE

CHECK NO.

AMOUNT

08/25/03

504974 *****\$930.00

*** NINE HUNDRED THIRTY & 00/100 DOLLARS

PAY
TO THE
ORDER
OF

Honorable Commissioner

VOID AFTER 90 DAYS

AUTHORIZED SIGNATURE

504974 0531011215196567684

0000093000

IST_Fill1:

SETNAME:cdrom

Account:5196567684

CheckAmt:930

SerialNum:504974

ItemSeqNu:33191160

ProcDate:08/29/2003

TrRoutNum:0

IST_Fill2:

PATENT AND TRADEMARK OFFICE
13-10-0001
08-27-2003
FOR CREDIT TO THE
U.S. TREASURY

0025 41617

NOV 28 03

#5210
PKT001
08/29/03

0560011184
FIRST VIRGINIA BANK
08282003 FALLS CHURCH, VA

3300191160

01923685

IST_Fill1:

SETNAME:cdrom

Account:5196567684

CheckAmt:930

SerialNum:504974

ItemSeqNu:33191160

ProcDate:08/29/2003

TrRoutNum:0

IST_Fill2:

Deposit Account Statement

Page 3 of 3

09/16 966	1269870	9216-10	7201	\$400.00	\$22,801.00
09/16 978	1286032	9216-11	7205	\$100.00	\$22,701.00
09/16 979	1286032	9216-11	7201	\$400.00	\$22,301.00
09/17 2	PCT/US02/37310	8194.586.WO	1606	\$260.00	\$22,041.00
09/17 2	09868960	905.85	1201	-\$168.00	\$22,209.00
09/17 7	PCT/US03/23145		9204	-\$250.00	\$22,459.00
09/17 36	10661917	9409-3	2201	\$2.00	\$22,457.00
09/17 733	78095442	9052-99	7004	\$150.00	\$22,307.00
09/17 736	78095442	9052-99	7003	\$100.00	\$22,207.00
09/17 743	78117815	8789-47	7004	\$150.00	\$22,057.00
09/17 744	78117816	8789-46	7004	\$150.00	\$21,907.00
09/17 748	78117820	8789-45	7004	\$150.00	\$21,757.00
09/17 750	78045628	998-799	7004	\$150.00	\$21,607.00
09/24 2	09861005	033218-009	1001	-\$195.00	\$21,802.00
09/24 4	09861005	033218-009	1201	-\$168.00	\$21,970.00
09/24 5	09861005	033218-009	1202	-\$144.00	\$22,114.00
09/24 10	09861005		9204	-\$89.00	\$22,203.00
09/24 45	09871132	5550-12	1501	-\$1,300.00	\$23,503.00
09/24 46	09871132	5550-12	2501	-\$650.00	\$24,153.00
09/24 47	09871132	5550-12	2501	\$650.00	\$23,503.00
09/24 121	60504103	9342-125PR	1005	\$160.00	\$23,343.00
09/25 67	09649447	5573-123	1814	\$110.00	\$23,233.00
09/25 68	09649447	5573-123	1253	\$930.00	\$22,303.00
09/26 7	PCT/US03/27151		9204	-\$250.00	\$22,553.00
09/26 48	60504804	9400-75PR2	1005	\$160.00	\$22,393.00
09/29 1	10008233	5470-107BDV3	1255	\$1,040.00	\$21,353.00
09/30 40	10669401	5051-606	2001	\$375.00	\$20,978.00
09/30 41	10669401	5051-606	2202	\$549.00	\$20,429.00
09/30 42	10669401	5051-606	2201	\$126.00	\$20,303.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$26,820.00	\$26,767.00	\$20,250.00	\$20,303.00

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